

EXHIBIT A

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

KRISTOFER CHAMBERS

Plaintiff(s)

COUNTY OF NASSAU; Nassau County Police Department;
Police Officer MICHAEL SCHMIDT; Police Officer OMAR
GALAN; Police Officer JOSEPH GIACONE; Police Officer
MIKE KAMPERVEEN; and POLICE OFFICERS JANE AND
JOHN "DOES" individually and in their official capacities

(said names being fictitious and meaning to represent police
officers whose names and true identities are currently

unknown to plaintiff. *Defendant(s)*

SUMMONS IN A CIVIL ACTION

Civil Action No. 19-cv-00158 (SJF)(AYS)

2019 APR 12 AM 10 28
NASSAU CO. ATTORNEY

To: *(Defendant's name and address)* County of Nassau, Nassau County Attorney, 1 West St., Mineola, NY 11501

Nassau County Police Department; 1490 Franklin Ave., Mineola, NY 11501;

Police Officer Michael Schmidt, Nassau County Police Dept., 1490 Franklin Ave., Mineola, NY 11501;

Police Officer Omar Galan, Nassau County Police Dept., 1490 Franklin Ave., Mineola, NY 11501;

Police Officer Joseph Giaccone, Nassau County Police Dept., 1490 Franklin Ave., Mineola, NY 11501;

Police Officer Mike Kamperveen, Nassau County Police Dept., 1490 Franklin Ave., Mineola, NY 11501; and

Police Officers Jane and John "Does"

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

LAW OFFICES OF VINCENT S. WONG
39 East Broadway, Ste. 306
New York, New York 10002
Tel: (212) 349-6099

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.



DOUGLAS C. PALMER
CLERK OF COURT

Deanna Rodin

Signature of Clerk or Deputy Clerk

Date: 01/16/2019

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

KRISTOFER CHAMBERS

(b) County of Residence of First Listed Plaintiff Nassau
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Law Offices of Vincent S. Wong
39 East Broadway, Ste 306, New York, New York 10002
Tel: 212-349-6099

DEFENDANTS

County of Nassau; Nassau County Police Department; Police Officer Michael Schmidt; Police Officer Omar Galan; Police Officer Joseph Giaccone; Police Officer Mike Kampervenn; and Police Officers Jane and John Does

County of Residence of First Listed Defendant Nassau
(IN U.S. PLAINTIFF CASES LOC)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. §§ 1983, 1985

Brief description of cause:
Deprivation of civil rights

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
01/08/2019

SIGNATURE OF ATTORNEY OF RECORD
/s/ Vincent S. Wong

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

CERTIFICATION OF ARBITRATION ELIGIBILITY
 Local Arbitration Rule 83.10 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

Case is Eligible for Arbitration ☐

I, _____, counsel for _____, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

☐
☐
☐

monetary damages sought are in excess of \$150,000, exclusive of interest and costs,

the complaint seeks injunctive relief,

the matter is otherwise ineligible for the following reason

DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)

- 1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County? ☐ Yes ☒ No
- 2.) If you answered "no" above:
 - a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? ☒ Yes ☐ No
 - b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? ☒ Yes ☐ No
 - c) If this is a Fair Debt Collection Practice Act case, specify the County in which the offending communication was received:

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? ☐ Yes ☐ No

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

BAR ADMISSION

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

☒

Yes

☐

No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

☐

Yes

(If yes, please explain

☒

No

I certify the accuracy of all information provided above.

Signature: /s/ Vincent S. Wong

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

KRISTOFER CHAMBERS,

CIVIL ACTION: 19-CV-158

Plaintiff,

- against -

COMPLAINT

COUNTY OF NASSAU, NASSAU COUNTY
POLICE DEPARTMENT; Police Officer
MICHAEL SCHMIDT; Police Officer
OMAR GALAN; Police Officer JOSEPH
GIACONE; Police Officer MIKE
KAMPERVEEN; and POLICE OFFICERS
JANE AND JOHN "DOES" individually
and in their official capacities
(said names being fictitious and
meaning to represent police officers
whose names and true identities
are currently unknown to plaintiff)
Defendants.

Jury Trial Demanded

-----X

1. Plaintiff, KRISTOFER CHAMBERS, by his attorney, LAW
OFFICES OF VINCENT S. WONG, complains of the Defendants and
respectfully sets forth to this Court as follows:

PRELIMINARY STATEMENT

2. This action is brought pursuant to the provisions of
42.U.S.C. §§ 1983, 1985 and, pursuant to claims for, deprivation
of Plaintiff's constitutional rights, including lack of due
process, unconstitutional taking of property, regulatory taking,
malicious prosecution, and intentional infliction of emotional
distress.

JURY TRIAL DEMANDED

3. Plaintiff demands trial by jury in this action.

JURISDICTION AND VENUE

4. This action arises under the 4th, 5th, 6th, 8th and 14th Amendments to the United States Constitution, under 42 U.S.C. §§1983, 1985 and 1988.

5. The jurisdiction of this Court is predicated upon 28 U.S.C. §1331 and §1343(a)(3) and (4), and upon pendent jurisdiction.

6. Venue lies in this district pursuant to 28 U.S.C. §1391(b).

THE PARTIES

7. The Plaintiff was and still is a resident of Nassau County, City and State of New York.

8. Upon information and belief, and at all times hereinafter mentioned, defendants, COUNTY OF NASSAU, (hereinafter "NASSAU") and NASSAU COUNTY POLICE DEPARTMENT are governmental entities existing under the mandate and laws of the State of New York.

9. Upon information and belief, and at all times hereinafter mentioned, all of the abovementioned defendant Police Officers, MICHAEL SCMHIDT, OMAR GALANT, JOSEPH GIACONE, and MIKE

KAMPERVEEN were on duty and acting in their official capacities as police officers.

THE FACTS

10. This case primarily concerns of the malicious prosecution by Nassau County police officers who fabricated evidence and testified falsely at trial, in an attempt to cause the unlawful conviction of the Plaintiff KRISTOFER CHAMBERS.

11. On or about November 19th, 2014 at approximately 4:37pm in the County of Nassau inside the main parking lot area of a shopping mall known as GREEN ACRES, the above mentioned defendant police officers conducted a motor vehicle stop.

12. Plaintiff CHAMBERS was a passenger in the above mentioned motor vehicle.

13. CHAMBERS engaged in a motor vehicle related conversation with Police Officer MICHAEL SCHMIDT.

14. At all times relevant herein, Plaintiff CHAMBERS did not commit any crimes.

15. At all time relevant herein, defendant Police Officer MICHAEL SCHMIDT, did illegally cause the arrest of Plaintiff CHAMBERS, by illegally arresting and detaining him for disorderly conduct.

16. Defendant Police Officers, GIACONE, GALANT, and KAMPERVEEN, clearly observed that Plaintiff did not engage in any

crimes and failed to intervene, and or participated in the arrest of plaintiff.

17. Defendant Police Officers created a false police report, with the intent to cause the malicious prosecution of plaintiff, and prosecutors relied upon such false reports from arraignment till trial.

18. Unknown to the defendant police officers at the time, the entire episode was recorded via mobile device.

19. CHAMBERS was forced to attend numerous court appearances up to the point of trial.

20. As a result of the arrest, the plaintiff lost personal property being held by the defendants, and said defendant did not compensate nor return said property.

21. Plaintiff CHAMBERS, despite being offered a generous plea offer at a subsequent prosecution, refused same and demanded a jury trial.

22. At trial, the defendant police officers observed the video for the first time and lied to an empanelled jury about with they observed.

23. The jury trial ended after the false police testimony when the prosecution dismissed all charges against plaintiff.

COUNT ONE

24. Plaintiff herein alleges paragraphs 1 thruu 23 as though alleged herein and states the following: The above defendants did with malice and hatred, attempted to prosecute and cause the unlawful conviction of the plaintiff.

COUNT TWO

25. Plaintiff hereby alleges paragraphs 1 through 24, as though fully alleged herein and states the following: The defendants unlawfully retained property of the plaintiff and to date has not returned said property.

COUNT THREE

26. Plaintiff alleges herein paragraphs 1 through 25, as though fully alleged herein and states the following: The COUNTY OF NASSAU is notorious for arresting young African American males (plaintiff is African American) and creating false police reports in an attempt to harass, arrest, and convict same. This pattern is consistent and ongoing.

WHEREFORE, Plaintiff demands judgment against the Defendants as follows:

- a) On each Count in such sums as may be determined upon the trial of this action, including, but not limited to general damages, special damages and punitive damages,

- b) Punitive Damages as to all Defendants for intentional conduct as described above.
- c) For reasonable attorney's fees pursuant to 42 U.S.C. §1988, together with costs and disbursements; and
- d) For such other and further relief as this Court may deem just and proper.

Dated: January 8, 2019

Law Offices of Vincent S. Wong

By: /s/ Vincent S. Wong
Vincent S. Wong, Esq.
39 East Broadway, Suite 306
New York, New York 10002
Tel: (212) 349-6099
Attorneys for Plaintiff